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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,840	08/05/2004	Konstandinos Zamfes		4839
37129	7590	07/14/2006		
KONSTANDINOS ZAMFES 1830 - 10TH AVE S.W. CALGARY, AB T3C-OJ8 CANADA			EXAMINER FITZGERALD, JOHN P	
			ART UNIT 2856	PAPER NUMBER

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. Previous election/restriction requirements are hereby withdrawn by the Examiner.

Drawing Objections

2. The drawings are objected to because of poor reproducibility, specifically, Figures, 5-7. The graphs and/or data reproduce (i.e. copy/photo-copy) poorly, leading to poor resolution and failing to enable a reader to discern the data being represented. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. § 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 1-17 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

6. The claims are generally narrative in form and indefinite, failing to conform with current U.S. practice. They simply state elements without relation to one another, as well as being formed with multiple sentences. All claims must be in single sentence form with appropriate punctuation (i.e. semi-colons) to separate the recited elements. Furthermore, the employment of sub-headings (i.e. 1.1, 1.2, 1.3, etc.) is not acceptable. The Examiner suggests the employment of an alphanumeric sequence, such as, a), b), c).....etc. In further regards to the claims and their sub-headings, the dependent claims 13-17 improperly depend from independent claim 12, for they only appear to depend from the specific sub-headings, and not from the entire claim, which

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is standard U.S. practice. The Applicant should further note that all reference characters and any limitations cited within parentheses are not considered part of the claim and provide no further limitation on claimed subject matter. The Examiner suggests the Applicant review the cited U.S. patent reference, as well as their own U.S. Patents (6,301,953 and 6,386,026) for proper claim structure and form.

Conclusion

7. Applicant is invited to review PTO form 892 accompanying this Office Action listing Prior Art relevant to the instant invention cited by the Examiner.+

Note that the indication of allowable subject matter is based upon the features which are presently found in the claims. In overcoming the above rejection, should applicants choose to delete features which are presently in the claims, this indication of allowable subject matter may no longer apply. The examiner therefore suggests that applicants overcome the above rejection under the second paragraph of 35 U.S.C. § 112 by amending the claims to replace the indefinite language with claim language which precisely and particularly defines the invention. The preferred way to correct the lack of antecedent problem or other types of similar problems that have been raised above would be to provide a clear antecedent basis for the feature rather than to delete the language. Deleting features which are presently in the claims broadens the scope of the claims and thus may render the indication of allowable subject matter no longer applicable.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Fitzgerald whose telephone number is (571) 272-2843. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams,


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can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JF

07/10/2006



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